

Amendments to the Drawings:

The attached sheets of drawings include changes to Figs. 1, 3 and 4. These sheets, which include Figs. 1, 3 and 4, replace the original sheets including Figs. 1, 3 and 4. In all the amended Figs. 1, 3 and 4, previously omitted element hole 41 has been added. The specification has been amended to include a reference to this element.

Attachment: Replacement Sheets (Figs. 1, 3 and 4)

REMARKS

Reconsideration of the present application is respectfully requested in light of the above amendments to the application and the following remarks.

Regarding the Drawings

The drawings are objected to under 37 CFR 1.83(a) for failing to show every feature of the invention specified in the claims. The enclosed replacement sheets containing Figs. 1, 3 and 4 have been amended to show hole 41 in red ink.

Regarding the Specification

The specification has been amended to address the Examiner's objections, and, to correct several additional inaccuracies.

Page 7: has been corrected as follows:

Frame 20 has been changed to panels 36, 38. The lip is associated with the panels, not the frame. Support for this is in all of the figures in that Figs. 1, 3 and 4 clearly show the lip 40 extending upward from the panels 36, 38; further, Fig. 2, which shows a bottom view of the assembly, does not show any lip 40 extending from the frame 20. Applicant respectfully submits that the correction introduces no new matter.

Part #41 has been added to “holes”.

“My” has been corrected to “by”.

Pages 5-6, 8: part numbers have been corrected.

Regarding the Claims

Claims 2-5, 9-10 and 16-17 have been amended, and new Claims 19 and 20 have been added. Currently pending in the application, therefore, are Claims 1-20, of which Claims 1, 3, 5, 17 and 18 are independent. No new matter has been added.

Claims 1, 2, 4, 13, 14, and 18 have been rejected under 35 U.S.C. §102(b) as being anticipated by Connors et al, U.S. Patent No. 6,062,146 (“Connors”). Applicant has amended Claims 2 and 4. Applicant respectfully submits that Claims 2 and 4 as amended are distinguishable, and such reference does not anticipate the present invention.

Connors discloses an assembly with a support panel 220 comprising a pair of panels 224, 226 that are mounted on the frame (col. 4, lines 45-49) by fitting in the lip 166, 168. The support panel 220 is fitted into the frame after the frame has been adjusted (“More specifically, first top rail 124 and second top rail 174 receive support panel 220, after first end support 122 and second end support 124 have been adjusted to fit the appropriate vehicle 112” (emphasis added). Connors’ Figs. 4 and 5 show (at the arrows proximate to 220 and 166 in Fig. 4 and in similar location in Fig. 5) that the panel width remains fixed regardless how the frame width changes.

The support panel is simply not adjustable. This may reduce the amount of support offered when the frame is substantially wider than the support panel.

In contrast, the present invention includes a support surface which has an adjustable width by virtue of the panels 36, 38. The panels are preferably positioned on and attached to the frame 20 so that as the width of the frame 20 is expanded or contracted the support surface width (by virtue of the overlapping panels 36, 38) also adjusts accordingly. The present invention is not anticipated by Connors, nor does Connors render the present invention as claimed in Claim 1 obvious since there is no motivation to change the panels of Connors to be adjustable.

Claim 16 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Connors et al., U.S. Patent No. 6,062,146, in view of Bhargj et al., U.S. Patent No. 6,406,083 ("Bharg"). Claim 16 has been amended to define the connecting means as being tethers. Bharg discloses snap-fastener-like detachable supports 6, 7, which appear to be pins. There does not appear to be a specific disclosure of how the supports 6, 7 are mounted to the vehicle. In contrast, the present invention incorporates a frame and support legs, which, combined with the tethers and elastic cords, help to mount the shelf assembly into the vehicle. The support pins 6, 7 of Bharg are not similar in any way to the tethers as described in Claim 16 as amended. There is no suggestion or motivation found in either of the cited references nor any other prior art of record, and it would not have been obvious to one of ordinary skill in the art, to modify the pins of Bharg to include the tethers of the present invention. Accordingly, Applicant respectfully traverses the rejection.

Claims 3, 5-12 and 17 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 3, 5-11 and 17 have been amended accordingly.

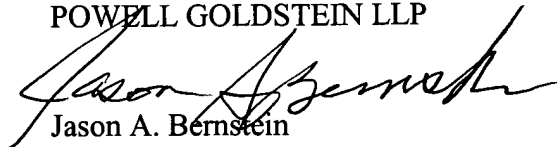
Independent Claims 3, 5 and 17 as amended are believed to now be in condition for allowance, and dependent Claims 2, 4, 6, 9, 10 and 16 are thereby also in condition for allowance. Therefore, Applicant submits that the new and amended claims overcome the Examiner's rejections and objections and are in condition for allowance, and Applicant respectfully requests the same

Some amendments and remarks contained in this document, or in other documents filed or to be filed with the US Patent Office in this case or related cases, may in the future be deemed, by a court of law or government agency of competent jurisdiction, to be narrowing amendments and/or related to patentability. Accordingly, the public is hereby advised that the applicant: (a) intends to relinquish only that claim coverage which is clearly, explicitly, precisely and unequivocally stated to be relinquished; (b) does not intend to relinquish any other claim coverage; (c) reserves the right to assert that any such amendments and/or remarks are not narrowing and/or are not related to patentability; and (d) intends to fully assert the full range of equivalents, under the Doctrine of Equivalents and otherwise, which are presently known or which may become known in the future, for each and every element of each and every claim, and for each and every claim.

Should the Examiner have questions or suggestions which will put this application in line for allowance, he or she is requested to contact the undersigned attorney.

Respectfully submitted,

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